

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 22-cr-20315

JAMES TAYLOR,

Defendant.

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**ORDER FOR SUPPLEMENTAL BRIEFING AND CONTINUING MOTION HEARING**

Pending before the court are two motions to suppress filed by Defendant James Taylor. (ECF Nos. 21, 32.) On May 2, 2023, the court held a hearing on the motions, at which time Defendant asked to supplement his briefings regarding whether relevant law enforcement officers properly followed certain towing and impoundment procedures. The court granted Defendant's request on the record, indicating that it would issue a scheduling order for said briefing and continue the hearing at a later date. Accordingly,

IT IS ORDERED that Defendant shall file his supplemental briefing, of no more than 10 pages in length, as to whether law enforcement properly followed tow and impoundment procedures on or before **May 12, 2023**.

IT IS FURTHER ORDERED that Defendant's supplemental brief shall additionally address the following questions by the court:

- I. Considering the court's finding that Defendant's warrantless arrest was lawfully supported by probable cause, what Fourth Amendment standing does Defendant have to challenge the consent search of the U-Haul passenger's purse?

II. Considering the Sixth Circuit's holding in *United States v. Smith*, 263 F.3d 571 (6th Cir. 2001), what Fourth Amendment standing does Defendant have as an unlicensed and unauthorized driver of a rental vehicle to challenge the inventory search and related tow and impound procedures of the U-Haul?

IT IS FURTHER ORDERED that, should it deem it necessary to do so, the Government is permitted to file a responsive supplemental brief, of no more than 5 pages in length, on or before May 16, 2023.

IT IS FURTHER ORDERED that the hearing on Defendant's suppression motions shall be continued on May 18, 2023 at 10:00 a.m.

s/Robert H. Cleland /  
ROBERT H. CLELAND  
UNITED STATES DISTRICT JUDGE

Dated: May 3, 2023

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, May 3, 2023, by electronic and/or ordinary mail.

s/Lisa Wagner /  
Case Manager and Deputy Clerk  
(810) 292-6522

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